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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/500,605  | 06/30/2004  | Daniel Graf          | AT 020001           | 4740             |
| 24737 7590 04/28/2009<br>PHILIPS INTELLECTUAL PROPERTY & STANDARDS<br>P.O. BOX 3001<br>BRIARCLIFF MANOR, NY 10510 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| SHANG, ANNAN Q  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 2424  |             |                      |                     |                  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/500,605

**Applicant(s)**

GRAF ET AL.

**Examiner**

ANNAN Q. SHANG

**Art Unit**

2424

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by anticipated by **Franco (2002/0046407)**.

As to claim 1, note the **Franco** references figures 1-13, discloses use of web pages to remotely program a broadcast content recording system and further discloses a method for the personal management of parameter lists for an audio and/or video device by at least one user of the audio and/or video device, the parameter lists relate to parameters for the audio and/or video device and contain list entries (figs.1-3, page 1, [0013-0016], [0059-0065] and [0068-0074]),

where at least part of a parameter list is displayed by means of the audio and/or video device (figs.2+ and [0068-0074]) and

wherein using an access facility (Host), a storage facility connected to the audio and/or video device via a data network is accessed, via a data network, the storage facility stores the parameter lists to be managed for the audio and/or video

device, and wherein using the access facility, the parameter lists to be managed for the audio and/or video device are amended in respect of the list entries contained therein (figs.1-13, [0013-0016], [0059-0065] and [0068-0077]).

As to claim 2, Franco further discloses where the access to the storage facility takes place by means of the access facility, via the same data network via which the audio and/or video device is connected to the storage facility ([0013-0016], [0059-0065] and [0068-0077]).

As to claim 3, Franco further discloses where in the course of amending the parameter lists for the audio and/or video device, deletion and/or addition and/or relocation of at least one list entry is undertaken ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

As to claim 4, Franco further discloses where, in the course of amending the parameter lists for the audio and/or video device, an addition of at least one parameter list that is new as compared with the already existing parameter lists and/or a deletion of at least one already existing parameter list is undertaken ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

As to claim 5, Franco further discloses where the amendment of the parameter lists is undertaken by the at least one user ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

As to claim 6, **Franco** further discloses a storage facility (figs.1, 3, 9-13), the storage facility being provided and designed for communication with at least one audio and/or video device via a data network and for communication with at

least one access facility via a data network (page 1, [0013-0016], [0059-0065] and [0068-0074]), and

In the storage facility (4) manageable parameter lists for the at least one audio and/or video device (2a, 2b) can be stored, said manageable parameter lists relate to the at least one audio and/or video device (2a, 2b) and contain list entries, and in said storage facility (4) by means of the at least one access facility (5a, 5b), the manageable parameter lists for the at least one audio and/or video device (2a, 2b) can be amended in respect of the list entries contained therein, and from said storage facility (4) the manageable parameter lists can be retrieved with the aid of the at least one audio and/or video device ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

Franco further discloses where the storage facility stores a layout enabling the display of the manageable parameter lists for the purpose of amending the parameter lists ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

As to claim 8, **Franco** further discloses an audio and/or video device, the audio and/or video device being provided and designed for communication with a storage facility via a data network (figs.1-3,5-15, page 1, [0013-0016], [0059-0065] and [0068-0074]), and

the audio and/or video device being equipped with connecting means that are provided and designed for enabling a communications connection with the storage facility, the storage facility stores manageable parameter lists for the audio and/or video device, said manageable parameter lists relate to the audio and/or video device (2a, 2b) and contain list entries and can be amended in respect of the list entries contained

therein by means of at least one access facility (5a, 5b) which is connected to the storage facility (4) via a data network ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]), and

the audio and/or video device (2a, 2b) being equipped with retrieving means which are provided and designed for retrieving the manageable parameter lists from the storage facility ([0016-0018], [0075-0077], [0093-0095] and [0134-0139]).

As to claim 9, Franco further discloses where the audio and/or video device retrieving means are equipped with a retrieving button which is operated by hand ([0130]).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yukie et al (6,956,833) disclose method, system and devices for wireless data storage on a server and data retrieval.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANNAN Q. SHANG** whose telephone number is **(571)272-7355**. The examiner can normally be reached on **7:00am-4:00pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone

number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/

Primary Examiner, Art Unit 2424

**Annan Q. Shang**